

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

1

The Minutes

December 5, 2005

- C046682 THE PEOPLE v. CZUB (Not for Publication)**
The judgment is affirmed.
HULL, J.
We Concur: Nicholson, Acting P.J.
Raye, J.
- C049352 THE PEOPLE v. WILSON (Not for Publication)**
The judgment is affirmed. The trial court is directed to correct the abstract of judgment as set forth above and to forward a certified copy of the corrected abstract to the Department of Corrections and Rehabilitation.
DAVIS, J.
We Concur: Sims, Acting P.J.
Hull, J.
- C047833 PITTS v. NAJERA, as Chief, etc., et al. (Not for Publication)**
The judgment is affirmed. Defendants shall recover their costs on appeal. (Cal. Rules of Court, rule 27(a).)
DAVIS, J.
We Concur: Sims, Acting P.J.
Butz, J.
- C047740 In re FLOYD N.; THE PEOPLE v. FLOYD M. (Not for Publication)**
The judgment (order committing the minor to CYA) is affirmed.
BLEASE, Acting P.J.
We Concur: Hull, J.
Cantil-Sakauye, J.
- C049271 In re D.S.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. MYESHA R. (Not for Publication)**
The orders denying the petition for modification and terminating appellant's parental rights are affirmed.
DAVIS, J.
We Concur: Sims, Acting P.J.
Hull, J.
- C051016 VOLO v. BARRILLEAUX**
BY THE COURT:
Appellant's motion to reinstate the appeal is granted. The order of November 18, 2005, dismissing the appeal is vacated, and the appeal is reinstated...
SCOTLAND, P.J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

2

The Minutes

December 6, 2005

- C047598 THE PEOPLE v. TAYLOR (Not for Publication)**
The judgment is affirmed.
ROBIE, J.
We Concur: Nicholson, Acting P.J.
Raye, J.
- C047897 THE PEOPLE v. HOOTEN (Not for Publication)**
The judgment is affirmed.
SIMS, Acting P.J.
We Concur: Davis, J.
Hull, J.
- C048618 THE PEOPLE v. SMITH (Not for Publication)**
The judgment is affirmed.
SIMS, Acting P.J.
We Concur: Nicholson, J.
Morrison, J.
- C046372 COUNTY OF EL DORADO v. DEPARMENT OF TRANSPORTATION et al. and
LAKES ENTERTAINMENT, INC. and SHINGLE SPRINGS BAND OF MIWOK
INDIANS et al.**
- C048141 VOICES FOR RURAL LIVING et al. v. DEPARTMENT OF TRANSPORTATION
and SHINGLE SPRINGS BAND OF MIWOK INDIANS et al.
(CERTIFIED FOR PUBLICATION)**
- THE COURT:
It is ordered that the opinion filed in this case on November 8, 2005, be modified as follows:...
- ...The petitions for rehearing filed by Appellant and Respondent El Dorado County, Respondent Department of Transportation, Intervener and Respondent Shingle Springs Band of Miwok Indians and Real Party in Interest and Respondent Lakes Entertainment, Inc. and Voices for Rural Living and Shingle Springs Neighbors for Quality Living are denied.
- FOR THE COURT:
BLEASE, Acting P.J.
DAVIS, J.
HULL, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

3

The Minutes

December 7, 2005

MISC. ORDER 2005-012

By the Court:

Associate Justice Rodney Davis is appointed to serve as Acting Presiding Justice to discharge the duties described in the California Rules of Court, rules 75, 76, 77, and 78, during the absence of the Presiding Justice from the court on December 9, 2005, or until his return. (See Cal. Const. Art 6, Sec. 3.) The senior member of a panel of the Court is designated the Acting Presiding Justice of that panel during the absence of the Presiding Justice.

SCOTLAND, P.J.

C046986 THE PEOPLE v. MILOSLAVICH et al. (Not for Publication)

The judgments as to both Miloslavich and Storrs are affirmed.

HULL, J.

We Concur: Scotland, P.J.

Nicholson, J.

C048225 THE PEOPLE v. SCHRUBB (Not for Publication)

The judgment is affirmed.

ROBIE, J.

We Concur: Blease, Acting P.J.

Sims, J.

C049354 THE PEOPLE v. PATTERSON (Not for Publication)

The judgment is affirmed.

HULL, J.

We Concur: Sims, Acting P.J.

Davis, J.

C049753 THE PEOPLE v. CHARLIE (Not for Publication)

The judgment is modified... As modified, the judgment is affirmed...

HULL, J.

We Concur: Blease, Acting P.J.

Sims, J.

C049142 HILLAN, SR. v. DOBBINS (Not for Publication)

The appeal is dismissed. Defendant shall pay plaintiff's costs on appeal. (Cal. Rules of Court, rule 27 (a) (1) (2).)

MORRISON, J.

We Concur: Scotland, P.J.

Raye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

4

The Minutes

December 8, 2005

- C044900 THE PEOPLE v. CHAVEZ (Not for Publication)**
The conviction for second degree murder is reversed, and the matter is remanded to the trial court for further proceedings consistent with this opinion.
SCOTLAND, P.J.
We Concur: Nicholson, J.
Robie, J.
- C049766 THE PEOPLE v. CHAVEZ (Not for Publication)**
If the trial court has not already done so, we modify the judgment... As modified, the judgment is affirmed...
SCOTLAND, P.J.
We Concur: Robie, J.
Cantil-Sakauye, J.
- C048361 MCI WORLDCOM COMMUNICATIONS, INC. v. STATE OF CALIFORNIA et al. and SGS TESTCOM, INC. (Not for Publication)**
The judgment denying MCI's amended petition for writ and complaint for declaratory relief is affirmed. Respondents shall recover costs on appeal. (Cal. Rules of Court, rule 27(a).)
CANTIL-SAKAUYE, J.
We Concur: Nicholson, Acting P.J.
Robie, J.
- C048375 FILCO, INC. v. STATE BOARD OF EQUALIZATION (Not for Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Raye, J.
Cantil-Sakauye, J.
- C048977 In re H.A.; BUTTE COUNTY DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES v. A.N. and S.Z. (Not for Publication)**
The orders of the juvenile court are affirmed.
SCOTLAND, P.J.
We Concur: Robie, J.
Cantil-Sakauye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

5

The Minutes

December 8, 2005, continued

C048797 CASTEEL v . COUNTY OF SAN JOAQUIN et al. (Certified for Publication)

THE COURT:

The opinion in the above-entitled matter filed on November 18, 2005, was not certified for publication in the Official Reports. For good cause it now appears that the opinion should be published in the Official Reports and it is so ordered.

SCOTLAND, P.J.

We Concur: BLEASE, J.

HULL, J.

December 9, 2005

C048551 THE PEOPLE v. BENHAM (Not for Publication)

The judgment is modified... As modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment in accordance with this opinion and forward it to the Department of Corrections and Rehabilitation.

HULL, J.

We Concur: Raye, Acting P.J.

Butz, J.

C048705 THE PEOPLE v. JACOBS (Not for Publication)

The judgment is affirmed.

NICHOLSON, Acting P.J.

We Concur: Robie, J.

Cantil-Sakauye, J.

C049595 THE PEOPLE v. RASCHKA (Not for Publication)

The judgment is affirmed.

HULL, J.

We Concur: Sims, Acting P.J.

Davis, J.

C049600 THE PEOPLE v. ENQUIST (Not for Publication)

The judgment is affirmed.

HULL, J.

We Concur: Blease, Acting P.J.

Sims, J.

C048944 THE PEOPLE v. VARGAS (Not for Publication)

BY THE COURT:

Appellant's petition for rehearing is denied.

NICHOLSON, Acting P.J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

6

The Minutes

December 9, 2005, continued

C046869 YOUNT v. CITY OF SACRAMENTO et al. (Certified For Partial Publication)

THE COURT:

It is ordered that the opinion filed in this case on November 9, 2005, be modified as follows:...

...This modification does not change the judgment.

The petition for rehearing filed by respondent City of Sacramento is denied.

BY THE COURT:

BLEASE, Acting P.J.

MORRISON, J.

BUTZ, J.